



**REGULAR MEETING OF THE COMMON COUNCIL
MIDDLETOWN, CONNECTICUT
DECEMBER 2, 2013**

Regular Meeting

A Regular Meeting of the Common Council of the City of Middletown was held in the Council Chamber of the Municipal Building, on Monday, December 2, 2013 at 7 p.m.

Present

Mayor Daniel T. Drew, and Council Members Thomas J. Serra, Mary A. Bartolotta, Robert P. Santangelo, Grady L. Faulkner, Jr., Carl R. Chisem, Gerald E. Daley, James B. Streeto, Sebastian N. Giuliano, Sandra Russo Driska, Deborah Kleckowski and David Bauer; Corporation Counsel Daniel B. Ryan; Sergeant-at-arms Officer Haddad; and Common Council Clerk Marie O. Norwood.

Absent

Councilwoman Hope Kasper

Also Present

Hartford Courant Reporter Shawn Beals, Middletown Press Reporter Alec Gecan and 25 members of the public

Meeting Called to Order

Mayor Drew calls the meeting to order at 7:03 p.m. and leads the public in the Pledge of Allegiance.

He welcomes the public to the December meeting of the Common Council. He hopes everyone had a Happy Thanksgiving and happy holidays. He takes a moment to recognize Parks and Public Works for setting up and decorating for Holiday on Main. They did a great job.

Call of Meeting Read

The Call of Meeting was read and accepted. Mayor Drew declares the Call a Legal Call and the Meeting a Legal Meeting.

Motion to Amend Agenda

Councilman Serra moves to amend the agenda by substituting the Mayor's Appointments. He also moves agenda items 10A and 10B right after Item 6, Closing the Public Hearing. Councilman Streeto seconds the motion. The Chair calls for the vote and it is unanimous to approve with eleven aye votes. The Chair states the matter passes unanimously.

Agenda item 3
Presentations

Agenda Item 3A.

Councilwoman Kleckowski is recognized and she asks that Linda Salafia come forward. Councilwoman Kleckowski reads the resolution honoring Linda Salafia, retiring Council member. She moves the item for approval. Councilman Faulkner seconds the motion. Councilwoman Kleckowski speaks to the resolution and states I worked with Linda and got to know her when she was elected and want to thank her personally for being there as a friend; one of the most important things that occurred is that we have become friends. I wanted to say she not only served on Council, she was a dedicated employee and it is a loss that she no longer serves the City. I thank her for her service. Councilman Serra states on behalf of the Council, your public service you are away from your family and maybe we didn't agree on some of the items, but I liked your passion and good luck to you. Linda Salafia states this is the first time in my life that I don't have a job, I don't have a committee meeting, and I have had the best month. I will get back on committees; I enjoyed working on the Council, but right now, I am enjoying my time. She receives the thanks of the Council and the public.

The Chair states the resolution is approved by acclamation. He states you were always vociferous on the causes you were involved with and you were a dedicated employee and union official and you were integral in resolving some of the union issues that occurred and he thanks her.

Resolution No. 178-13
File Name ccsalafialindacouncil2013
Description Honoring Linda Salafia.
(Approved)

WHEREAS, Linda Salafia was elected to the Common Council and sworn in on November 15, 2011; and

WHEREAS, during her tenure on the Council, Linda served on the Council Commissions for Public Works, Economic Development, and Insurance and Claims; and

WHEREAS, she served on the Middletown Commission on the Arts and Culture, Harbor Improvement Agency, and Middletown Resource Recovery Commission to ECRRA; and

WHEREAS, Linda also served on the Clean Energy Task Force which has as its goal energy conservation and worked to renew the City's pledge to reduce energy use by 20% by 2018 and to purchase 20% of municipal energy with renewable resources by 2018; and

WHEREAS, Linda voiced her concerns and commitment for Middletown's continued economic health and prosperity and for more open, transparent government actions.

Now, Therefore, Be it Resolved by the Common Council of the City of Middletown: We thank Councilwoman Linda Salafia, on behalf of Middletown Citizens, for serving on the Common Council showing her dedication to the City of Middletown and its residents; and

BE IT FURTHER RESOLVED: That we wish Linda good health and best wishes for all her future endeavors; she has given her time and energy on behalf of the City and we hope that she continues being active and involved in Middletown's continued growth.

Agenda Item 3B

Councilman Serra moves to the podium and asks Phil Pessina to join him. He reads the resolution and moves it for approval. Councilman Faulkner seconds the motion. The Chair states the resolution is approved by acclamation. Councilman Serra states he has known Councilman Pessina since high school and back then he was a dedicated individual; knowing him as a police officer, knowing him at the Chamber as McGriff. He was thoroughly involved in the community. Great job and well done. We always talk about Middletown Wilson Tiger Cat and there has been pride in the community and he has always shown that in his work in Middletown. Councilwoman Kleckowski states on behalf of the Republican delegation and all Republicans, we thank him for his service as Councilman and his service as police officer and all the things he has done and I know he is proud of his work at Eckersley Hall.

Councilman Pessina thanks the Council and this honor and especially Mayor Drew for your respect to listen to Joe and I; we may have differed but found common ground to work on the issues. He believes in finding the common ground as did Lincoln during his presidency. He quotes from Lincoln. Always put Middletown first above politics especially negative politics. It is to do for the people when they cannot do for themselves. Forty years ago he learned to put Middletown first by ensuring its protection and safety when he put his uniform and badge on. I will be honored and appreciative for the six years I have given to the Council whom I have served and for whom people put their trust in me. I have come a long way from the kid, watching various city officials who have made Middletown financially sound and a safe place to raise a family. Bad things happen to good people. The reward you get for being good isn't a shield to protect from misfortune but to deal and overcome it to find love, laughter, and joy despite it. I have and will continue to be inspired everyday working within our city government. I look forward to continued service to his Middletown community and what it holds for me. He receives a standing ovation from the members of the public present. The Chair thanks him for his spirit of bipartisanship and thanks him for his service.

Resolution No. 179-13

File Name ccpessina2013
Description Honoring Philip J. Pessina
(Approved)

WHEREAS, Philip J. Pessina was first elected to the Common Council in November, 2007 and served three consecutive terms to November 12, 2013; and

WHEREAS, Phil has served on the Finance and Government Operations Committee for six years; he has served on the Parks and Recreation Commission, Senior Services Committee, Harbor Improvement Agency, and Public Safety for four years; and

WHEREAS, he also served on Citizens Advisory Committee and the Board of Health; he served on the CVH Advisory Council and the Community Center Committee; and

WHEREAS, Phil sits on the Eckersley Hall Building Committee; his work with Senior Services and the Community Center Committee, gave him a better perspective on the needs of older adults, looking for more space and better services for this community; the Building Committee has found ways to reduce the bond amount, yet provide the Senior Center that is much needed by Middletown; and

WHEREAS, he sat on the Veterans Memorial Park Renovation Committee, working with the Committee to provide the best use plan for the Park based on public input as well as input from various commissions; and

WHEREAS, Phil continues to sit on the Mattabassett Regionalization Project, a major project for the City, one which will open the riverfront to future development and one that is a major infrastructure project for a large area of Middletown; and

WHEREAS, as a member of the Council he has promoted Community Policing and the importance of community involvement; he has stood for education and reminded the Council of the importance to the City to provide funding for the best education possible for our youngest citizens; and he has endorsed the economic growth of the City as well as fiscal responsibility to the taxpayer.

NOW, THEREFORE, BE IT RESOLVED BY THE COMMON COUNCIL OF THE CITY OF MIDDLETOWN: That we thank Philip J. Pessina for six years of service to the City of Middletown and its citizens; his commitment to Middletown can be seen in its economic growth, a new Senior/Community Center, a master plan for Veterans Memorial Park, as well as the retirement of the Middletown Wastewater Treatment Plant; and

BE IT FUTHER RESOLVED: That we wish him good health and best wishes for all his future endeavors; we hope that he continues being active and involved for the betterment of Middletown.

Agenda Item 3C

Councilman Daley states Joseph Bibisi could not be here this evening; and he would like to read the resolution into the record in its entirety. He reads it and moves it for approval and would like to speak to it. Councilman Faulkner seconds the motion. Councilman Daley states Councilman Bibisi served on the Economic Development Commission with me for the past 12 years and he can say not having him on the commission, he will be missed. He put the interest of the community first and always asked good questions and made many contributions and one of things he is proudest about is his work on the task force and homelessness and the warming center. He would be remiss if he did not point out was his work with code enforcement which has made a significant contribution to remove blight in the community. Joe always presented himself well and made many lasting contributions and we will miss him.

Councilwoman Kleckowski states I too would like to thank Joe for all his efforts especially the code enforcement and on behalf of all the Republicans, thank him for his service on the council and as a police officer. My father went to school with him and it was nice that he shared stories and that we had two generations of shared experiences.

Councilman Serra states he served with Joe for the last eight years. He stuck to his word and his aggressiveness with the issue of homelessness he would call me every season and say you better have funded this. Joe, if you are watching a great job and good luck to you.

Motion to Amend

Councilman Giuliano states he doesn't have a lot to add, but remembers when the warming center concept came about and it was just a place to get out of the cold. It was Joe who got the bus passes and beds at Eddy Shelter and one thing that it omits is that fully half his time on the Council he served as Deputy Mayor and he would like to see it included in the resolution. Councilwoman Kleckowski seconds the motion. The Chair asks if there is any discussion; seeing none, he calls for the vote. It is unanimous to approve with eleven aye votes. The Chair states the matter passes unanimously.

The Chair asks for further comments. Seeing none, he adds the thing I worked most with him is the code enforcement and more than anything the warming center was a huge passion for him and there are people alive today because of his efforts. Knowing you saved a life is incredible and we owe him a debt of gratitude. He states the resolution is approved by acclamation.

Resolution No. 180-13
File Name ccbibisi2013
Description Honoring Joseph E. Bibisi
(Amended and Approved)

WHEREAS, Joseph E. Bibisi was first elected to the Common Council in November, 2001 and served for six consecutive terms until November 12, 2013; and

WHEREAS, Joe was appointed Deputy Mayor in November, 2005 and served as Deputy Mayor through November, 2011; and

WHEREAS, during his tenure on the Common Council he has served for twelve years on Finance and Government Operations Committee, the Economic Development Committee, and Ordinance Study; and

WHEREAS, he has served on the Youth Services Committee and the Retirement Board for eight years, Harbor Improvement Agency, Parking Advisory, Middletown High School Locker Room Building Committee, the Fire Services Cost Committee, and the Subcommittee of the Council looking into Water and Sewer; and

WHEREAS, Joe was appointed to the Middletown High School Building Committee which resolved issues in order to construct a much needed High School for Middletown; he also sat on the Middletown High School Locker Room Building Committee that provided more space for athletic teams using the fields at the school; and

WHEREAS, Joe was appointed to the Veterans Memorial Park Renovation Committee and the Mattabassett Regionalization Project Building Committee, and the Middletown Riverfront Development Committee; and

WHEREAS, Joe became the Chair the Code Enforcement Committee coordinating efforts of code enforcement agencies that deal with issues and violations of buildings, housing, fire, health and zoning regulations; the Code Enforcement Committee has worked to demolish various structures that were a danger to the public; they work continuously with the property owners to reach code compliance equating to a safe environment for residents; and

WHEREAS, he was asked by the Mayor to Chair the Mayor's Task Force on Homelessness, a partnership with public and private agencies regarding the plight of individuals who are less fortunate; his efforts with these organizations and the Task Force helped to open warming centers in the City at various locations; they are run with donations from private individuals and the City, when necessary, and are open from November through March, providing a place of last resort for those who would be out in the cold; his work with the task force provided a warm place for 133 nights last winter along with providing transportation to the Eddy Shelter and a place to shower and clean up the next morning.

NOW, THEREFORE, BE IT RESOLVED BY THE COMMON COUNCIL OF THE CITY OF MIDDLETOWN: That we thank Joseph E. Bibisi for the time and effort he unselfishly expended on behalf of the City of Middletown and all its citizens; his actions on behalf of Middletown, as seen through its economic growth, development of youth in

government, a viable retirement plan, a master plan for Veterans Memorial Park, and his continued efforts with reducing blight in the City through code enforcement, caring for the less fortunate through his efforts on the Task Force for the Homeless, and providing assistance on the Mattabassett Regionalization Project, shows his dedication and commitment to Middletown; and

BE IT FURTHER RESOLVED: That Joe is a community leader who is leaving a legacy that future leaders should emulate and on behalf of the Citizens of Middletown we wish him well in all his future endeavors.

Agenda Item4

DescriptionMinutes

The minutes of the regular November 4, 2013 at 7 p.m. and special meetings of November 4 at 6 p.m., November 12, 2013 at 7 p.m. and November 20, 2013 at 7 p.m. having been deposited with the Mayor and Corporation Counsel and copies of the same having been served on each and every Council Member, the reading of the same having been dispensed with, Councilman Santangelo moves them for approval and is seconded by Councilwoman Bartolotta. Councilman Streeto abstains from the vote on the Minutes of November 4 as does Councilwoman Driska, Councilman Giuliano, and Councilman Chisem for both meetings; Councilman Faulkner abstains from the vote of the November 4, 2013 minutes at 6 p.m.

Motion to Amend

The Chair asks if there is further discussion. Councilman Faulkner notes the meeting states 2011 for the November 12 meeting. Councilman Giuliano states it should read November 12, 2013 and moves to amend. His motion is seconded by Councilwoman Kleckowski. The Chair calls for the vote and it is unanimous to approve with eleven aye votes. The Chair states the amendment passes with eleven affirmative votes.

The vote is called and it is unanimous to approve with eleven aye votes. The Chair states the matters pass unanimously with eleven affirmative votes.

Public Hearing Opens

The Chair opens the public hearing at 7:31 p.m.

Geen Thazhampallath had the privilege to serve as Mayor Giuliano's aide and wanted to take the time to recognize Joe and Phil; they have almost 80 years of combined service to Middletown. I would like to be known like that. He shares a story with the Council regarding Joe. We use the phrase it is just business and it is not personal. I told Joe that I would stand with him during the election and Joe said don't get involved, you have to be here longer than I do. It showed he cared about me. He saw my future and told me to stay clear of the politics. You can't sneak anything by him; he shares another story. Joe filled in at the same event for two years and Geen was to write his remarks and he thought he could just change the date for the same event and Joe recognized the exact words and called him on it; he always came forward with a caring heart and a great sense of humor. He wanted to recognize them both for their service. Joe only wanted to serve on the Homelessness committee.

Stephen Devoto passes information out to the Council. He is speaking to 10A; he states three members were elected to Planning and Zoning. He would like to think that people will deal with the issues. He states Pessina is a surprise but he speaks to seating Dan Russo and believes it is damaging to the role of the Planning and Zoning commission. He has a record of absenteeism and destructive hyper partisan record. He was Chair of the Democratic Town Committee. in his four years, he has spent time on party power and not planning. Acrimony and hyper partisanship is bad for business and planning. It looks bad for his party, democrats. Beth Emery is the better candidate. Her focus is on responsible land use planning and there is ample precedent for voting for an alternate. The election of officers, six commissioners were planning to vote for a bipartisanship for officers. He spoke individually with each commissioner to be Chair and Russo's appointment might be to block this. Some said it was disrespectful to speak to republicans before the older members of the party on the commission. I don't see it as disrespect. There are large controversial zoning decisions and someone should be there who understands the issues and asks questions of City staff. The public and developers deserve this. I am willing to be chair because I attended meetings since 1998; I have experience with running meetings from his professional work. He would vote for someone else who would like to be chair and do the work of the chair. You as a group have total power to appoint anyone you want and asks that you appoint someone who is willing to work for the City and not someone with hyper acrimony.

Ken McClelland speaks as Chairman of Republican Town Committee and item 10B; you will be asked to fill a vacancy for the minority alternate seat on Planning and Zoning; he asks for support of Vin Szyrkowicz. He ran for the seat and was not elected and asks the Council to do the right thing and support the minority party rep that they have selected.

Jennifer Saines states she has known Beth Emery for many years and she is the best candidate for the opening on Planning and Zoning; she states she trusts her judgment and Beth is dedicated. I think she has a vision for the City and asks the Council's support for Beth Emery.

Ed McKeon speaks to 10A and urges the Council to consider Beth Emery. Hard to add anything to the argument and one piece is that one member has missed 40% of the meetings and Beth has been there nearly all the time. It seems to be without argument that you would pick someone who is that dedicated.

Melissa Shilke asks the Council to avoid the appearance of backroom cronyism and I think Beth Emery for showing up and being there more often than the other potential candidate.

Beth Emery states she would be willing to serve and happy to serve; she ran in 2011 because she is serious and passionate about this. Some of the things you have heard and she has been to all meetings except for three. I will continue to make decisions in a nonpartisan way and come prepared to discuss what is before us. In 2011, she received 4,523 votes as the alternate candidate. Mr. Chisem received 3,930 votes and the voter turnout

between 2011 and 2013, there was an equal number of democrats who came out to vote and it is interesting to note those two turnouts and to Mr. Russo's election where he received 3,589. I want to point out, I have gained a lot of valuable experience and she is also on the regional planning commission and it is interesting to sit with the 17 regions that the regional planning represents. The River Cog is forming a regional bike/pedestrian committee and many of you know that I am co-chair on the Complete Streets Committee. She hopes to bring Middletown to the forefront as one of the leaders. I believe I have the experience and knowledge to serve and will work diligently and with integrity and I don't have political aspirations beyond Planning and Zoning. I hope to run in the next election.

Jennifer (inaudible) states her support for Beth Emery; she serves with her on the Complete Streets Committee. She is dedicated to Middletown and she will do the same as a full member of Planning and Zoning.

Daniel Russo reads a letter he wrote and reads the letter into the record. He would like to respond to comments made; there are references to 40% absenteeism. There was never a failure to a quorum when he was absent. If he is going to be criticized for being a good husband, so be it. He coordinated with the Chairman for ensuring a quorum. He did go to meetings. In reference to hyper partisanship. I am a democrat and proud of it and once on the Commission and after the election of officers, he is nonpartisan. Republican members found that he did agree with them after discussion. The other issues are spurious and I appreciate your consideration and time.

Phil Pessina comes forward to ask for the Council's support for the alternate position on Planning and Zoning; he voted on many economic development proposals, open space and land use and always voted on Middletown's behalf and if he is fortunate to be voted in, he is a registered Republican and when he contacted the Majority Leader, no republican had come forward for the position. Planning and Zoning is the conduit to economic growth to the City. He will do his best to serve everyone who comes forward.

Gerard Proto states he has heard a lot about Phil Pessina tonight; he is a registered Independent and votes for the best person for the job. He has voted democratic and republican and he reads your statements before the election and he would like to speak to 10A and 10 B. I believe Beth Emery would do a great job and Phil would do a great job as well. He didn't always vote in line and he voted for what was right for the City and the people and that is what the people call on individuals to do and that is to analyze the facts and say that it is not part of our ideology but it is best for Middletown and the State of Connecticut. You have an incredible opportunity to put together people to do great things for Middletown to bring in more tax dollars in a responsible way. If you do your jobs as the people voted you in to do, you will do the right thing.

The Chair asks for other members wishing to speak. Steve Smith states the issue tonight you are faced with is a process dilemma. You have a democratic side you are proposing that the next highest vote getter take the position over the alternate and on the republican side in terms of process you are ignoring the process and taking someone who did not run. Until the Planning and Zoning seats comes as not a consolation prize you won't get the planning and zoning you deserve.

Public Hearing Closes

The Chair asks if there are other comments from members of the public. Seeing none, he closes the public hearing at 8:02 p.m.

Motion to Recess

Councilman Serra moves for a five minute recess; Councilwoman Kleckowski seconds the motion. The Chair calls the vote and it passes unanimously with eleven aye votes. The Chair declares the recess at 8:03 p.m.

Meeting Reconvenes

The Chair calls the meeting to order at 8:10

The Chair states they have received complaints about the temperature and he has Public Works working on it. It is a Honeywell system and controlled electronically but hopes it will warm up in a few minutes.

Agenda Item 10A

Councilman Santangelo reads and moves for approval agenda item 10A. Councilman Faulkner seconds the motion. Councilman Giuliano is recognized and states as he reads the Charter of Middletown, it is the authority of the Council to fill all vacancies and that the person be of the same party registration. The Charter makes this a partisan decision. Although the Charter gives all of us a vote on the matter and we may or may not agree with the choice, how do you resolve that dilemma. I would defer to the party that owns the seat unless they are bringing someone forward that is unqualified or detrimental to the City or if the caucus was so divided, they threw the decision to the other party; his personal choice might be Beth Emery and while I believe she will make an exemplary person on the Commission, but if the party's preference is Dan Russo, he has also acquitted himself on the Planning and Zoning Commission, then it tips the scale to him to support the majority caucus. He asks for a roll call vote.

Councilman Serra comments there is no second to that. In reaction to Mr. Devoto's summary of reasons, one of the paragraphs is in error is the alternate Quentin Phipps was appointed, it was because David Boyce was a municipal employee and was disqualified and he was the next in line. The precedence has been set.

Councilman Daley states he wanted to say his support for Dan Russo is not in any way taking away from his appreciation of Beth Emery's work for the City including her seating as an alternate and it is not blocking her from Planning and Zoning. He thought there might be misperception and it does not affect her seat as an alternate.

Councilwoman Kleckowski states she has a question on whether or not the roll call vote needs a second. Corporation Counsel Ryan responds, he believes it does need a second. Councilwoman Kleckowski seconds the motion. The Chair states the roll call vote motion has been made and it is debatable and is there any

discussion. Councilman Daley is recognized and states he hopes there is no roll call vote on every vote. The Chair calls for a vote on the motion to take a roll call vote. It is unanimous to approve with eleven affirmative votes. The Chair states the motion carries.

The Chair calls the Roll for their vote asking those in favor to say aye and those opposed to say nay:

Councilwoman Bartolotta	Abstains
Councilman Bauer	Aye
Councilman Chisem	Aye
Councilman Daley	Aye
Councilman Giuliano	Aye
Councilman Faulkner	Aye
Councilwoman Kasper	Absent
Councilwoman Kleckowski	Aye
Councilwoman Russo Driska	Aye
Councilman Santangelo	Aye
Councilman Serra	Aye
Councilman Streeto	Aye

The Chair states the matter passes with ten affirmative votes, one vote in abstention, and one absent.

Resolution No.	181-13
File name	ccrussotoreplacechisempandz2013-2015
Description	Approving filling of the vacancy for the regular seat on the Planning and Zoning Commission, naming Daniel Russo.

(Approved)

WHEREAS, Carl Chisem, a member of the Planning and Zoning Commission has resigned effective November 14, 2013.

NOW, THEREFORE, BE IT RESOLVED BY THE COMMON COUNCIL OF THE CITY OF MIDDLETOWN: That Daniel Russo be appointed to fill the vacancy to a term of November 10, 2015.

Agenda Item 10B

Councilwoman Bartolotta reads and moves for approval agenda item 10B, naming Philip J. Pessina as alternate to the Planning and Zoning Commission; Councilman Santangelo seconds the motion.

Motion to Substitute

Councilman Giuliano states the matter was postponed from the November 20 meeting appointing Phil Pessina to the alternate seat; he moves to amend the underlying motion with a substitute resolution and reads it in its entirety to appoint Vincent Szykiewicz to the alternate seat of the Planning and Zoning Commission. Councilwoman Kleckowski seconds the motion. The Chair asks if there is any discussion.

Councilman Streeto urges it be defeated; he is not sure it is procedurally correct and it should be defeated on the merits. He has known Phil Pessina for many years. Like the Mayor and Councilman Serra, he remembers many issues he disagreed on. However, when he talked to him on this position, he said he would vote his heart and do what is best for Middletown and that is the way he has comported himself and it would be hard for him to vote for someone else. I don't think the seat is owned by any party and we have the opportunity to keep an active member active and that is an exceptional opportunity; we shouldn't pass it up. I don't think past precedence should be a straightjacket and he urges the defeat of the substitute resolution.

Councilwoman Russo Driska states she voted for Dan Russo because of his service and wanted to respect the Council and fill the seat; I have campaigned with Vin Szykiewicz and these are exceptional circumstances and I am not a hypocrite and didn't vote against Dan Russo the caucus candidate. I was not told about this and thought it would be on this agenda and we are doing our job and in the spirit on how we do this, she hopes the Council will honor our wishes. This is not personal, but about procedure and moving forward.

Corporation Counsel Ryan has a response to the procedural question; he states the substitution of a resolution requires a 2/3's vote. He reads from page 372 of Robert's Rules of Order. This item is diametrically opposed to the 10B that was presented and a 2/3's vote is required.

Councilman Giuliano states he is asking about the ruling of Corporation Counsel that there is a resolution pending and not sure it has been moved and seconded; and there is a motion to amend the resolution and he does not recall anything where a motion to amend requires more than a majority vote. We are not amending the agenda and it is a piece of business. Councilman Giuliano states he would hope that the Council would vote overwhelming to support us. Corporation Counsel Ryan states it is more than a motion to amend; it is a substitution. Councilman Giuliano states among the things we approved in the minutes was contained the transcript at the Biennial meeting and amongst what was said is what "we have in common is stronger than what divides us." The Chair appreciates the quoting of the words and the appropriate time would be on the motion. Councilman Giuliano responds that we are discussing the vote on the amendment because it will be the same.

Councilman Serra asks what the vote should be; Corporation Counsel Ryan responds it would be eight votes if all the Council people were here so it would reduce it to seven to pass this. Councilman Giuliano states as has been said by Councilwoman Russo Driska, it is not about Phil Pessina. What is curious is that former Councilman contacted the majority, but no one on the minority. The Chair states this comment is more appropriate after the vote.

Councilman Serra calls the question. Councilman Giuliano responds it requires a 2/3's vote. The Chair states if no one else has something to say, we don't need the motion. Hearing no further comments, the Chair calls the

vote on the motion to substitute resolutions. It is four aye votes by Council Members Giuliano, Russo Driska, Kleckowski and Bauer; and seven nays by Council Members Serra, Bartolotta, Santangelo, Faulkner, Chisem, Daley, and Streeto. The Chair states the substitution fails with four in favor and seven against.

Motion to Amend

The Chair recognizes Councilman Bauer who moves to amend the resolution on the floor by striking the name Philip Pessina and inserting the name Vincent Szyrkowicz. Councilwoman Kleckowski seconds the motion. Corporation Counsel Ryan states that would defeat the defeat of substitute 10B, but you already voted on it and it failed.

Councilman Streeto states on the underlying resolution: Corporation Counsel, I have respect for him and in this instance, there should be no question about a Planning and Zoning commissioner because it creates a question and I respectfully request you withdraw the motion because we just voted on this and by leaving it out there we are creating the possibility of litigation about the appointment of the alternate. I understand it is an emotional issue.

Councilman Bauer states he is not inclined to withdraw his motion. I figure there is some difference between the amendment and the substituted motion; and there was a vote on the complete substitution and I am bringing up a different aspect that the resolution in front of us be amended.

Point of Information

Councilman Serra has a point of information. He states I agree with Councilman Bauer. I believe with all due respect, this one needs a majority vote. Let's just vote on it again. Councilwoman Bartolotta is recognized and states let's vote on it again. There is no harm and she moves to vote and do it. We have covered it in two capacities.

The Chair calls for the vote on the amendment to replace Philip Pessina's name with Vincent Szyrkowicz. He states it requires a majority vote. He calls the vote and it is four aye votes by Council Members Giuliano, Russo Driska, Kleckowski and Bauer; and seven nays by Council Members Serra, Bartolotta, Santangelo, Faulkner, Chisem, Daley, and Streeto. The Chair states the matter fails with four votes in favor and seven against.

The Chair asks for discussion on the matter. Councilman Serra states the resignations of both individuals were in the mailboxes and normally in his experience we as a majority at the time they are made aware of what the party wanted and it was taken care of. In this case it didn't happen. Councilman Pessina made me aware and with his credentials, I made the caucus aware and we committed to him. The resignation was in the boxes for at least a week and we did our due diligence and no individual came from the Republican party.

Councilwoman Kleckowski reiterates the point made previously. It is not about the person, but the process and we respected the Planning and Zoning candidate that the majority caucus named and she would have preferred Beth Emery. It is about minority presentation. He did not come forward and he was asked to run for the position and declined it and we are asking the respect for the candidate's name that we put forth and we are disappointed it was not reciprocated.

Councilman Giuliano states when reading the text of your remarks at the swearing in, if this is an example of working together, not one of us was consulted and the candidate did not speak to us but to the majority party and it is not the foot I expected to start on and he hopes this is defeated and brought up at a special or regular meeting of the Council.

The Chair, hearing no further discussion, calls for the vote. It is seven aye votes by Council Members Serra, Bartolotta, Santangelo, Faulkner, Chisem, Daley, and Streeto; three nay votes by Council Members Giuliano, Kleckowski, and Bauer and one abstention by Councilwoman Russo Driska. The Chair states the matter passes with seven affirmative votes, three negative votes and one abstention.

Resolution No.	182-13
File Name	ccpandzaltclarktopessina2013
Description	Approving the filling of the vacancy of the alternate seat on the Planning and Zoning Commission, naming Philip Pessina to the seat.

(Approved)


WHEREAS, Jeremy Clark, an Alternate member of the Planning and Zoning Commission has resigned effective November 8, 2013.

NOW, THEREFORE, BE IT RESOLVED BY THE COMMON COUNCIL OF THE CITY OF MIDDLETOWN: That Philip J. Pessina be appointed to fill the vacancy to a term of November 14, 2017.

Agenda Item7

Appropriation Requests

The Council Clerk reads the Appropriation Requests and the Certificate of Director of Finance:



CITY OF MIDDLETOWN

MAYOR'S OFFICE
MUNICIPAL BUILDING


NOTICE OF PUBLIC HEARING

Notice is hereby given that a regular meeting of the Common Council of the City of Middletown will be held in the Council Chamber of the Municipal Building on Monday, December 2, 2013 at 7 p.m. to consider and act upon the following:

Mayor's Office	\$1,000, Account No. 1000-27000-53283, VITA, Tax Preparation, General Fund
Planning, Conser. and Development	\$8,000, Account No. 1000-27000-55427, Open Space Appraisals, General Fund.
Arts and Culture	\$1,250, Account No. 1000-01000-53480-0011-00603, Kids Arts, General Fund.
Recreation and Community Services	\$3,000, Account No. 1000-02000-62110-0321, General Administration, General Fund.
Sanitation	\$80,000, Account No. 2000-40000-66610, Sanitation Depreciation, Sanitation Fund.

Any and all persons interested may appear and be heard.

ATTEST:



MAYOR DANIEL T. DREW
Mayor

Dated at Middletown, Connecticut, this 23rd day of November, 2013.

The Council Chamber is wheelchair accessible. If you require special accommodations for any meeting, please call the Acting ADA Coordinator at (860) 344-3457 (voice) or (860) 344-3621 (TDD/TTY) or the Town Clerk's Office at (860) 344-3456 at least ten days prior to the scheduled meeting.

MEMORANDUM

TO: His Honor, Mayor Daniel T. Drew and Members of the Common Council


FROM: Finance Department

DATE: November 26, 2013


RE: Certification of Funds

This is to certify that funds sufficient to meet the appropriations requested at your meeting on August 5, 2013 are available as follows:

General Fund	\$13,250
Sanitation Depreciation Fund	\$80,000



Respectfully submitted,
Carl Erbacher
Director of Finance



Agenda Item7A

Councilwoman Bartolotta reads and moves for approval \$1,000 for VITA tax preparation; Councilman Streeto seconds the motion. Hearing no discussion, the Chair calls for the vote. It is unanimous to approve with eleven aye votes; Councilwoman Kasper is absent. The Chair states the matter passes unanimously with eleven affirmative votes.

Mayor's Office

\$1,000, Account No. 1000-27000-53283, VITA, Tax Preparation, General Fund

(Approved)

Agenda Item7B

Councilman Daley reads and moves for approval the appropriation request for Planning, Conservation and Development for \$8,000; his motion is seconded by Councilman Streeto. The Chair, seeing no discussion, calls for the vote. It is unanimous to approve with eleven aye votes. Councilwoman Kasper is absent from the meeting. The Chair states the matter passes unanimously with eleven affirmative votes.

Planning, Conser. and Development

\$8,000, Account No. 1000-27000-55427, Open Space Appraisals, General Fund.

(Approved)

Agenda Item 7C

Councilman Santangelo reads and moves for approval the Arts appropriation request for \$1,250; his motion is seconded by Councilman Streeto. Councilman Faulkner states he sees that part of the reasoning is to cover the minimum wage increase with summer camp.

The Chair, hearing no further comments, calls for the vote. It is unanimous to approve with eleven aye votes. Councilwoman Kasper is absent from the meeting. The Chair states the matter passes unanimously with eleven affirmative votes.

Arts and Culture \$1,250, Account No. 1000-01000-53460-0011-00500, Kids Arts, General Fund.
(Approved)

Agenda Item 7D

Councilwoman Bartolotta reads and moves for approval the appropriation request from Recreation and Community Services for \$3,000; Councilman Santangelo seconds the motion. There is no discussion. The Chair calls for the vote and it is unanimous to approve with eleven aye votes. Councilwoman Kasper is absent. The Chair states the matter passes unanimously with eleven affirmative votes.

Recreation and Community Services \$3,000, Account No. 1000-32000-52110-0321, General Administration, General Fund.
(Approved)

Agenda Item 7E

Councilman Chisem reads and moves for approval the appropriation request for the Sanitation Department; his motion is seconded by Councilman Santangelo. Councilman Faulkner asks where the funds are going; the Chair responds the Sanitation District. The vote is called and it is unanimous to approve with eleven aye votes. The Chair states the matter passes unanimously with eleven affirmative votes.

Sanitation \$60,000, Account No. 2020-40000-59510, Sanitation Depreciation, Sanitation Fund.
(Approved)

Agenda Item 8

Councilman Serra reads and moves for approval agenda items 8A, 8B, 8C, 8D, 8E, 8F, 8G, and 8H; his motion is seconded by Councilman Streeto. There is no discussion. The vote is called and it is unanimous to approve with eleven aye votes. The Chair states the matter passes unanimously with eleven affirmative votes.

Agenda Item 8A
Town Clerk's Certificate
(Approved)



City of Middletown
City & Town Clerk's Office
243 deKoven Drive
Middletown, CT 06457

December 2, 2013

I, Linda Brattinoni, City and Town Clerk of the City of Middletown, and custodian of the records and seal thereof, hereby certify that all ordinances and appropriations passed and adopted at the regular meeting of the Common Council on November 4, 2013 at 7:00 p.m. and the special meetings on November 4, 2013 at 6:00 p.m., November 12, 2013 at 7:00 p.m. and the November 20, 2013 at 7:00 p.m. special meeting, have been advertised in the local newspaper.

Attest:


Linda Brattinoni
City & Town Clerk

Dated at Middletown, Connecticut, this 2nd day of December, 2013.

Agenda Item 8B
Monthly Reports Finance Department – Transfer Report to November 20, 2013
(Approved)

Agenda Item 8C**Description Grant Confirmation and Approval – Board of Education****(Approved)****Name of Grant:** As Listed Below**Amount** \$3,397,386.29**Code:** 2450-33000-**Grant Period:** **From:** 7/1/2013 **To:** 6/30/201**Type of****Amount Loaned from General** \$0.00**Department Administering** Middletown Board of Education

When any department, commission, office or agency is the recipient of any federal, state or other grant allocated for specific purposes, these funds shall be immediately transferred to the specific unit which has made application for such grant. Confirmation and approval of such transfer shall be given at the next regularly scheduled sessions of the Common Council. Notwithstanding any other Charter provision, the action of the Common Council in confirming and approving such transfer shall be an appropriation; no public hearing thereon shall be required and said funds may then be expended for the purposes for which they were granted.

Description of services to be provided by this

769 - Middletown Teen Theater \$907.60; 788 - ASTE-Vo-AG Operating Cost \$136,086; 819 - Out of Town Magnet School Transportation \$9,800; 834 - ECS-Alliance District Funding \$171,637; 835 - Alliance District Funding \$1,964,723; 841 - Special Ed Medicaid \$2,098.57; 852 - Universal Service Fund \$50; 867 - Title III-Part A-English Language Acquisition \$23,440; 877 - Carl D. Perkins Career & Tech Ed \$1,754; 894 - Swaim Strings Program \$11,960; 700 - Food Services Receipts \$268,107.31; 801 - Retirees/Cobra Insurance Receipts \$195,243.81; 803 - Workers' Compensation \$7,865.02; 804 - Preschool Program Receipts \$12,635.94; 805 - Summer School Receipts \$310; 807 - Aetna Classified Receipts \$9,150.15; 809 - Maintenance/Rentals \$11,135.45; 823 - Central Office Receipts \$480,346.94; 833 - Adult Ed Receipts \$85,930; 893 - Fingerprinting Receipts \$115.50; 895 - Special Ed Tuition Reimbursement \$2,500; 901 - Keigwin Parent Fees \$1,290; 902 - Student Activities-W.W.M.S. \$300. Total Special Programs Through 10/18/2013 \$7,003,584.02 ADDITIONS \$3,397,386.29 Total Special

Requested by: Patricia Charles, ED.D.**Agenda Item 8D****Description Grant Confirmation and Approval –Board of Education, Adjustment, reduced funding****(Approved)****Name of Grant:** As Listed Below**Amount** (\$171,637.00)**Code:** 2450-33000-**Grant Period:** **From:** 7/1/2013 **To:** 6/30/201**Type of****Amount Loaned from General** \$0.00**Department Administering** Middletown Board of Education

When any department, commission, office or agency is the recipient of any federal, state or other grant allocated for specific purposes, these funds shall be immediately transferred to the specific unit which has made application for such grant. Confirmation and approval of such transfer shall be given at the next regularly scheduled sessions of the Common Council. Notwithstanding any other Charter provision, the action of the Common Council in confirming and approving such transfer shall be an appropriation; no public hearing thereon shall be required and said funds may then be expended for the purposes for which they were granted.

Description of services to be provided by this

835/900 - ECS Alliance District Funding Grant (\$171,637). This grant was reduced in "2013-2014" fiscal year. Total Grant Commitment amount through 6/30/2014 was \$843,464.76 REDUCTION (\$171,637.00) New Grant Commitment amount through 6/30/2014 is \$671,827.76

Requested by: Patricia Charles, ED.D.**Agenda Item 8E****Description Emergency Purchase – Planning, Conservation & Development, AGS HVAC Services at the Remington Rand building****(Approved)****Agenda Item 8F****Description Emergency Purchase – Water and Sewer, Middlesex Electric, Inc. for Red road Pump Station Repair****(Approved)****Agenda Item 8G****Description Eckersley Hall building Committee Progress Report #6****(Approved)****Agenda Item 8E****Description Emergency Purchase – Board of Education, Abatement Woodrow Wilson Middle School****(Approved)**

Agenda Item 9**Description Payment of City Bills****(Approved)**

Councilman Serra moves for the payment of all City bills when properly approved; Councilman Streeto seconds the motion. Hearing no discussion, the Chair calls for the vote on this matter. It is ten aye votes to approve by Council Members Serra, Bartolotta, Santangelo, Faulkner, Chisem, Daley, Streeto, Giuliano, Russo Driska, and Kleckowski; and one nay vote by Councilman Bauer. The Chair states the matter passes with ten affirmative votes and one in opposition.

Agenda Item 10**Description Resolutions, Ordinances, etc.****Agenda Item 10C**

Councilman Faulkner reads and moves for approval agenda item 10C which corrects two resolutions; Councilman Streeto seconds the motion. There is no discussion. The Chair calls for the vote and it is unanimous to approve with eleven aye votes. The Chair states the matter passes unanimously with eleven affirmative votes.

Resolution No. 183-13**File Name PCD2013_CDBG_Entitlement_Correction**

Description Approving amending resolution 86-13 to reflect the correct amount expended as \$385,000 and approving amending Resolution 168-13 correcting the line item number to read 3216-14000-57030-0000-03672-2011-000.

(Approved)

WHEREAS, the Common Council adopted Resolution 86-13 in June 2013 with an error in the Whereas statement regarding the expected amount of CDBG funding to be received by the City of Middletown;

WHEREAS, the Common Council adopted Resolution 168-13 in November 2013 with an error in the operative clause, incorrectly using line-item 3960-14000-57030-0000-04052-0000-000; and,

NOW, THEREFORE, BE IT RESOLVED BY THE COMMON COUNCIL OF THE CITY OF MIDDLETOWN: the amount expected to be received in Resolution 86-13 should read \$385,000 in the sixth Whereas statement; and,

BE IT FURTHER RESOLVED BY THE COMMON COUNCIL OF THE CITY OF MIDDLETOWN: the correct line-item number in Resolution 168-13 is 3216-14000-57030-0000-03672-2011-000.

FINANCIAL IMPACT: This resolution is a simple technical correction to the record and has no fiscal impact on the City or the actual amount of CDBG funding to be received by the City of Middletown in 2013.

Agenda Item 10D

Councilman Daley reads and moves for approval agenda item 10D for the Urban Design consultant; Councilman Streeto seconds the motion. There is no discussion. The Chair calls for the vote and it is unanimous to approve with eleven aye votes. The Chair states the matter passes unanimously with eleven affirmative votes.

Resolution No. 184-13**File Name PCDUrban Design**

Description Approving creating a new line item in the Economic Development fund entitled Downtown Urban Design Consultant with funding to come from transfers from unexpended lines in the Economic Development Fund.

(Approved)

WHEREAS, at the October 15, 2013 meeting of the Economic Development Committee, the committee membership voted to unanimously to create a new line in the Economic Development Fund entitled "downtown urban design consultant" to develop a concept plan for the future development of the parking arcade and Metro Square block.

NOW, THEREFORE, BE IT RESOLVED BY THE COMMON COUNCIL OF THE CITY OF MIDDLETOWN:

That there is created a line item "Downtown Urban Design Consultant 4330-xxxxxx-xxxxxx-0000-00000-0000-xxx in the Economic Development Fund

BE IT FURTHER RESOLVED: funding for the study will be transferred from unexpended funds in various expenditure line items to the new line after approval by the Economic Development Committee.

FINANCIAL IMPACT –Funding will come from the unexpended funds in various expenditure line items within the Economic Development Fund and will have no impact on the General Fund.

Agenda Item 10E

Councilman Streeto reads and moves for approval agenda item 10E, regarding an Historic Resources Inventory Grant.

Noted for the Record

Councilman Serra leaves the chamber at 8:49 p.m.

Councilman Santangelo seconds the motion. The Chair asks if there is any discussion; hearing none, he calls for the vote. It is unanimous with ten aye votes. Council Members Serra and Kasper are not present for the vote. The Chair states the matter passes unanimously with ten affirmative votes.

Resolution No. 185-13
File Name PCD_HistoricPlanningGrant
Description Approving authorizing the Mayor to submit a grant to the Connecticut Office of Culture and tourism for a survey and planning grant in the amount of \$20,000 to hire a consultant to review eligible buildings between 1940 and 1964 for the Middletown Historical and Architectural Resources Inventory.

(Approved)

WHEREAS, Middletown's Historical and Architectural Resources Inventory is a four volume inventory of Middletown's finest historic resources from pre-revolutionary war structure through to the 1930s, originally compiled in 1979 and amended in 1990.

WHEREAS, Middletown's Historical and Architectural Resources Inventory provides owners of inventoried structures access to State and Federal historic incentives, greater flexibility in the application of local zoning regulations and the potential for a 90-day delay of demolition for at-risk historic structures.

WHEREAS, there are over 3,169 structures that were constructed between 1940 to 1964 and are eligible for consideration to be added to Middletown's Historical and Architectural Resources Inventory.

NOW, THEREFORE, BE IT RESOLVED BY THE COMMON COUNCIL OF THE CITY OF MIDDLETOWN:

That the Mayor, as Chief Executive Officer of the City of Middletown, is hereby authorized to submit an application to the Connecticut Office of Culture and Tourism for a Survey and Planning Grant in the amount \$20,000 to hire an Architectural Historian Consultant to review eligible buildings between 1940 and 1964 and compile the necessary documentation for structures at should be added to Middletown's Historical and Architectural Resources Inventory.

FINANCIAL IMPACT – The study will allow the City of Middletown to access to the \$20,000 in State funding in order to add up to 100 or 150 new structures to Middletown's Inventory. It will only cost in kind services to administer the grant. Increasing the number of structures on the historic inventory allows access to funding and greater zoning flexibility to attract needed investment to allow these historic structures to continue to be an asset on the City's Grand List.

Agenda Item 10F

Councilman Santangelo reads and moves for approval agenda item 10F; his motion is seconded by Councilman Streeto. Hearing no discussion, the Chair calls for the vote. It is unanimous to approve with ten aye votes. Council Members Serra and Kasper are not present for the vote. The Chair declares the matter passes unanimously with ten affirmative votes

Resolution No. 186-13
File Name pdsmokestackextension\$9000
Description Approving authorizing the Mayor to sign an application to the State of Connecticut for a Local Capital Improvement Program grant in the amount of \$9,000 for an extension to the smoke stack at the Police Station and approving creating a new Capital Improvement Line Item entitled Police Department Smoke Stack Extension in the amount of \$9,000..

(Approved)

BE IT RESOLVED BY THE COMMON COUNCIL OF THE CITY OF MIDDLETOWN:

That Mayor Daniel T. Drew be authorized to sign and submit an application to the State of Connecticut for a grant in the amount of \$9,000 from the Local Capital Improvement Program (LoCIP) to extend the existing smoke stack on the roof at the Middletown Police Department to reduce fumes and improve air quality in the building; and

BE IT FURTHER RESOLVED: That a new Capital Improvement line item entitled Police Department Smoke Stack Extension, in the amount of \$9,000 be established.

Agenda Item 10G

Councilman Daley is recognized and reads and moves for approval agenda item 10G.

Noted for the Record

Councilman Serra takes his seat at 8:51 p.m.

Councilman Daley's motion is seconded by Councilman Streeto. The Chair calls for discussion; seeing none, he calls for the vote. It is unanimous to approve with eleven aye votes. The Chair declares the matter passes unanimously with eleven affirmative votes.

Resolution No. 187-13
File Name pdUPSBatteryFY14resolution
Description Approving creating a new line item in the Police Department CNR entitled UPS Battery Replacement in the amount of \$10,750 and approving a transfer of \$10,750 into the new line item from CNR line item 2070-18000-79655-0000-00000-2014 Gas Pump Replacement.

(Approved)

WHEREAS, the current UPS battery system was tested during routine maintenance in October and two out of three strings were determined to be in thermal runaway; and

WHEREAS, at least one of the damaged strings needed immediate replacement to sustain the building in the event of a power failure; and

WHEREAS, the Police Department made the emergency purchase of one 30 – battery string to replace the failed batteries; and

WHEREAS, the Police Department is requesting the transfer of current appropriated FY 14 CNR funds to cover this expense; and

NOW, THEREFORE, BE IT RESOLVED BY THE COMMON COUNCIL OF THE CITY OF MIDDLETOWN: That a new line item entitled UPS Battery Replacement be created in the Fiscal Year 2014 Police CNR; and

BE IT FURTHER RESOLVED: That \$10,750 be appropriated from CNR line #2070-18000-79655-0000-00000-2014-000 Gas Pump Replacement and transferred to this new CNR line item #2070-18000-XXXXX-0000-00000-2014-000 and labeled UPS Battery Replacement.

FISCAL IMPACT: The purchase of UPS batteries has no long term impact as the money is being transferred from the FY 14 CNR budget.

Agenda Item 10H

Councilman Chisem reads and moves for approval agenda item 10H; his motion is seconded by Councilman Streeto. There is no discussion. The vote is called and it is unanimous to approve with eleven aye votes. The Chair states the matter passes with eleven affirmative votes.

Resolution No. 188-13

File Name pwJohnDeereLoaderbidwaiver

Description Approving a bid waiver in accordance with Section 78-8 of the City Code of Ordinances to purchase and install an Auto Lube System to the John Deere Loader from NJPA in the amount of \$6,994.

(Approved)

Whereas, the Public Works Department is purchasing a John Deere Loader from W.I. Clark through the National Joint Powers Alliance (NJPA); and

Whereas, the price of the loader is \$251,029 but by belonging to this purchasing alliance, the City has received a discount of \$97,825.18 for a cost of \$153,403.82; and

Whereas, the department wishes to add an Auto Lube System at an additional cost of \$6,994.80, which is not covered under the options receiving a discount through NJPA; and

Whereas, W.I. Clarke uses a preferred vendor for the installation of the auto lube system; and

Whereas, the City Head Mechanic believes it is best to have W.I. Clark install this system to avoid warranty problems in the future; and

Whereas, the cost of the Auto Lube System is still under the City's bidding threshold of \$7,500; and

Whereas, the Standardization Committee approved the Bid Waiver with a 2-0 vote on November 22, 2013; and

NOW, THEREFORE, BE IT RESOLVED BY THE COMMON COUNCIL OF THE CITY OF MIDDLETOWN: That a bid waiver, in accordance with Section 78-8 of the Middletown Code of Ordinances, be approved for the installation of an Auto Lube System to the John Deere Loader as recommended by the Public Works Chief Mechanic at a cost of \$6,994.80.

FINANCIAL IMPACT STATEMENT

The Department has received CNR Funds for the purchase of this loader.

Agenda Item 10I

Councilwoman Bartolotta reads and moves for approval agenda item 10I; her motion is seconded by Councilman Santangelo. There is no discussion. The Chair calls for the vote. It is unanimous to approve with eleven aye votes. The Chair states the matter passes unanimously with eleven affirmative votes.

Resolution No. 189-13

File Name REC&CommunitySerNov2013

Description Approving the disbursement of the Recreation and Community Services Department Sports/Recreational Grants in the amount of \$36,000 as listed in the resolution.

(Approved)

BE IT RESOLVED BY THE COMMON COUNCIL OF THE CITY OF MIDDLETOWN: That the Sports/Recreational Grants budgeted for fiscal year 2013 -14 in the Recreation and Community Services Department totaling \$36,000 of the \$40,000 be disbursed as follows:

<u>Agencies</u>	<u>Amount</u>
Ahern Whalen	\$5,850
Middletown Youth Soccer, Inc.	\$9,000
Middletown Youth Lacrosse	\$3,870
Middletown Tiger Youth Football & Cheerleading	\$9,000
Prof. Gallitto Girls Basketball	\$2,880
Prof. Gallitto Boys Basketball	\$4,950
Salvation Army A.C.T.S. Club	\$ 450
Total	\$36,000

Fiscal Impact: No impact on FY 13/14 Budget.

Agenda Item 10J

Councilman Streeto reads and moves for approval agenda item 10J and his motion is seconded by Councilman Santangelo. There is no discussion. The Chair calls for the vote. It is unanimous to approve with eleven aye votes. The Chair states the matter passes unanimously.

Resolution No. 190-13

File Name cccommunitymtgdatesres

Description Approving the dates for the Community Public Meeting for Calendar year 2014.

(Approved)

WHEREAS, the Common Council will hold quarterly Community Public Meetings beginning in January, 2014; and

WHEREAS, the Community Public Meetings have been held on the second Thursday of the month.

NOW, THEREFORE, BE IT RESOLVED BY THE COMMON COUNCIL OF THE CITY OF MIDDLETOWN: That the Community Public Meetings will be held on Thursday, January 9, 2014; Thursday, April 10, 2014; Thursday, July 10, 2014; and Thursday, October 9, 2014.

Agenda Item 10K

Councilman Serra reads and moves for approval agenda item 10K; his motion is seconded by Councilman Faulkner. Hearing no discussion, the Chair calls for the vote. It is unanimous to approve with eleven aye votes. The Chair states the matter passes unanimously with eleven affirmative votes.

Resolution No. 191-13

File Name cceckersleyhallMOUgrantline2013res

Description Authorizing the Mayor to sign the MOU with the Connecticut Energy Finance and Investment Authority for the cash equivalent of a 7kWof solar or \$38,500 for the geothermal system at Eckersley-Hall and approving establishing a new line item entitled Eckersley-Hall Geothermal Groundsource System in their budget.

(Approved)

Resolution: Connecticut Clean Energy Communities Program Earned Ground Source Heating and Cooling System Agreement

Whereas, the Middletown Common Council voted to support the Connecticut Clean Energy Communities Program on May 2, 2005 (Resolution 47-05), and

Whereas, The City of Middletown is a participant in the Connecticut Clean Energy Communities Program and has committed to reducing its municipal building energy consumption by at least 20% by 2018, and

Whereas, the City of Middletown with the assistance of the Middletown Clean Energy Task was the first municipality in Connecticut to receive 2kW of solar panels from the Connecticut Clean Energy Fund which were installed on the Board of Education's former Vocational Agriculture Building on Hunting Hill Avenue, and

Whereas, the City of Middletown has qualified for 7kW of additional solar panels through its resolve and accomplishments in signing residential and commercial customers for the Connecticut Clean Energy Options Program, and

Whereas, The City of Middletown is renovating the Eckersley-Hall historic building to become a new Senior / Community Center which will use ground source technology for heating and cooling, and

Whereas, The Connecticut Energy Finance and Investment Authority (CEFIA) has agreed to provide the cash equivalent for the 7 kW of solar or \$38,500 for the geothermal system at Eckersley-Hall to be paid to the City of Middletown in two installments, and

Whereas, the \$38,500 will be treated as a grant to the City of Middletown.

Now, Therefore, Be It Resolved By The Common Council Of The City Of Middletown: A new revenue line item be established by the Finance Dept in fund 4166 to offset the cost of the Eckersley-Hall Geothermal Groundsource System to accept the \$38,500 grant and authorizing the Mayor to sign the memorandum of understanding with CEFIA.

Financial Impact: Reduces the bonding needed for the Senior Center Project by \$38,500.

CONNECTICUT CLEAN ENERGY COMMUNITIES PROGRAM EARNED GROUND SOURCE HEATING and COOLING SYSTEM AGREEMENT

This Connecticut Clean Energy Communities Program - Earned Solar PV System Agreement ("Agreement") is made between the CLEAN ENERGY FINANCE AND INVESTMENT AUTHORITY ("CEFIA"), a quasi-public agency of the State of Connecticut, having its offices at 845 Brook Street, Rocky Hill, Connecticut 06067, and the Town of Middletown ("Municipality"), a Connecticut municipality. CEFIA and Municipality are individually referred to as a "Party" or collectively as "Parties" to this Agreement.

WHEREAS, CEFIA, which is charged under the Connecticut General Statutes ("Conn. Gen. Stat.") Section 16-245n, to promote and support the growth, development, and commercialization of clean renewable energy sources and to stimulate demand for clean renewable energy and the deployment of clean renewable energy sources; and

WHEREAS, Municipality has committed to the "Clean Energy Communities Program" under which it agrees to reduce energy use in municipal facilities and to obtain a percentage of the annual electricity usage for its municipal properties from clean, renewable sources, as evidenced by the attached Exhibit A, the "Clean Energy Communities Municipal Pledge," which is incorporated into this Agreement; and

WHEREAS, Municipality has supported clean energy equivalent to 16% of the annual electricity usage for municipal facilities for the fiscal year 2014 and intends to gradually build up to reach the goal of 20% by 2018; and

WHEREAS, Municipality acknowledges that clean, renewable sources are those defined as Connecticut Class I renewable energy sources or meeting Green-e certification standards; and

WHEREAS, Municipality acknowledges that certain action steps to support clean energy may be substituted in lieu of making a clean energy purchase; and

WHEREAS, as of the date of this Agreement, municipality has earned the equivalent of 9 kW of clean energy systems through the Clean Energy Communities program according to program data, 2 kW of which were previously used towards the installation of a solar PV system at the Middletown High School Vocational Agriculture Building;

THEREFORE, in consideration of the foregoing and the mutual benefits and detriments described herein, CEFIA and Municipality acknowledge their understandings as follows:

Section 1. Condition of Funding. This Agreement is contingent upon sufficient funds being available in the future from CEFIA under the Clean Energy Communities Program ("Program"). The Project will be placed on CEFIA's contingent funding waiting list upon CEFIA's receipt of this Agreement duly executed by both Parties. Failure by Municipality to return the signed Agreement to CEFIA in a timely manner may result in CEFIA withdrawing this contingent funding offer.

Section 2. Key Terms.

- (a) Municipality is a Clean Energy Community;
- (b) Subject to Section 1 above, the Municipality is eligible to receive from CEFIA, at no expense, a seven (7) kW solar photovoltaic system. Municipality has elected to receive the equivalent value of an alternative technology, applying credits towards a ground source heating and cooling system ("System") (see letter from Ronald Klattenberg, Councilman and Chairman of Eckersley-Hall Building Committee to Bob Wall dated October 16, 2013, attached hereto as Exhibit B).
- (c) CEFIA will pay Municipality the total sum of \$38,500 based on an equivalent value of \$5,500 per kW (as of the time when initial discussions between CEFIA and Municipality concerning this project were held). Payment will be made in two installments: 50% when construction of the system is commenced and 50% when the system is operational and inspected.
- (d) **Municipality shall collaborate with CEFIA to prepare any press releases and to plan for any dedication ceremony related to this installation or program;**
- (e) CEFIA shall not be obligated to provide the System if there are insufficient funds for such purpose because of any legislative or regulatory action expressly curtailing, reducing, or eliminating CEFIA funding.

Section 3. Role of the Principal Contacts.

- (a) CEFIA's principal contact for this Agreement is Bob Wall, Associate Director of Outreach; 860-257-2354, bob.wall@ctcleanenergy.com.
- (b) Municipality's principal contact for this Agreement is _____.
- (c) These principal contacts will be responsible for the joint coordination of activities and resolution of issues cutting across organizational lines in their respective organizations.

Section 4. Transfer of Ownership and Liability.

- 1. Upon the completion of the System, title and ownership of the System will immediately transfer to Municipality without any declaration of any kind.
- 2. As owner of the System, Municipality shall bear sole liability for all claims arising out of the use and/or performance, as well as physical malfunctions, of the System including all claims for damages asserted by third-parties to this Agreement.
- 3. Municipality agrees to indemnify CEFIA in all claims alleged against Municipality as a result of the expressed liabilities set forth in (b) of this Section.

Section 5. Miscellaneous.

- (a) This Agreement may only be modified or amended by a writing executed by all of the Parties to the Agreement.
- (b) In no event shall this Agreement be deemed to give any rights or entitlements to any third party, this Agreement being solely for setting forth the understandings of the Parties.
- (c) This Agreement shall be governed and construed in accordance with the laws of the State of Connecticut and shall be subject to all applicable laws governing the subject matter hereof.
- (d) This Agreement may be executed in counterparts, each of which shall be deemed an original but all of which together shall constitute the same instrument.

IN WITNESS WHEREOF, the Parties have executed this Agreement as of the last date upon which the Parties have affixed their signatures below.

CLEAN ENERGY FINANCE AND INVESTMENT
AUTHORITY

TOWN OF MIDDLETOWN

Signature

Signature

Bryan T. Garcia

President & Chief Executive Officer

Date

Date

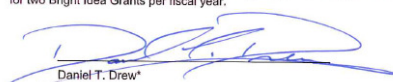
Exhibit A.

CLEAN ENERGY COMMUNITIES MUNICIPAL PLEDGE

The Clean Energy Communities program is an initiative funded by both the Clean Energy Finance and Investment Authority (CEFIA-formerly known as the Connecticut Clean Energy Fund) and the Connecticut Energy Efficiency Fund. CEFIA and the Energy Efficiency Fund develop programs which collectively seek to have Connecticut cities and towns both reduce energy use and increase support for clean, renewable energy for municipal facilities. The Energy Efficiency Fund programs are administered by The Connecticut Light and Power Company, The United Illuminating Company, Yankee Gas Services Company, The Southern Connecticut Gas Company, and/or Connecticut Natural Gas Corporation (collectively, "the Companies")

By applying currently available energy efficiency and clean, renewable energy technologies the City of Middletown can save money, create a healthier environment and strengthen local economies; and accordingly, the City of Middletown makes the following Clean Energy Communities Municipal Pledge:

- 1. The City of Middletown pledges to reduce its municipal building energy consumption by 20% by 2018. Building energy consumption shall be determined by benchmarking municipal building energy consumption to a baseline fiscal year. The City of Middletown can elect from the following fiscal years to determine its energy baseline year: 2008-2009, 2009-2010, 2010-2011, or 2011-2012.
 - a. The City of Middletown will seek to reduce its municipal building energy consumption for municipal facilities by at least 20% by 2018. The schedule follows:
 - i. Fiscal Year 2012-2013: 5% Reduction
 - ii. Fiscal Year 2013-2014: 8% Reduction
 - iii. Fiscal Year 2014-2015: 11% Reduction
 - iv. Fiscal Year 2015-2016: 14% Reduction
 - v. Fiscal Year 2016-2017: 17% Reduction
 - vi. Fiscal Year 2017-2018: 20% Reduction
 - b. The City of Middletown will work with the Companies, contractors or other entities to benchmark all of its municipal buildings (including board of education buildings) to determine all municipal building energy usage.
 - c. Beginning July 1, 2015, the City of Middletown agrees to provide documentation of its municipal building energy consumption on an annual basis by the end of the first quarter of the following fiscal year.
 - d. The City of Middletown pledges to create its own Municipal Action Plan (MAP) to determine its path in reducing its energy consumption. The City of Middletown may satisfy this requirement by submitting a pre-existing municipal energy plan, sustainability plan, climate change action plan or similar document.
 - e. There is no penalty if the City of Middletown fails to meet the reduction amounts set forth in the schedule above. However if these reduction targets are not met starting July 1, 2015, the City of Middletown will not be eligible to receive Bright Ideas Grants from the Connecticut Energy Efficiency Fund and Companies under the Clean Energy Communities program.
- 2. The City of Middletown pledges to purchase 20% of its municipal building electricity from clean, renewable energy sources by 2018.
 - a. The City of Middletown will seek to make a voluntary purchase of at least 20% of the electricity for municipal facilities from clean, renewable energy sources by annual CEC program requirements. The schedule follows:
 - i. Fiscal Year 2012-2013: 15% Purchase
 - ii. Fiscal Year 2013-2014: 16% Purchase
 - iii. Fiscal Year 2014-2015: 17% Purchase
 - iv. Fiscal Year 2015-2016: 18% Purchase

- v. Fiscal Year 2016-2017: 19% Purchase
 - vi. Fiscal Year 2017-2018: 20% Purchase
- b. The City of Middletown agrees to provide CEFA documentation of its municipal clean energy purchases on an annual basis by the end of the first quarter of the following fiscal year. CEFA intends to request documentation of municipal clean energy purchases for FY2011-2012 in July 2012.
- c. The City of Middletown acknowledges that clean, renewable sources are those defined in section 16-1 of the general statutes as Connecticut Class I renewable energy sources or meeting Green-e® Energy certification standards.
- d. The City of Middletown may satisfy the voluntary purchase requirement by purchasing Green-e® Energy certified Renewable Energy Credits (RECs), enrolling one of more municipal facilities in the CT Clean Energy Options™ program, installing renewable energy systems (provided that the RECs associated with such system(s) are quantifiable and not held by a third-party) or any combination thereof.
- e. There is no penalty if the City of Middletown fails to meet the items set forth in the schedule above; however, the City of Middletown will not be eligible to receive incentive rewards from CEFA under the Clean Energy Communities program.
3. The City of Middletown agrees to promote energy efficiency and clean, renewable technologies in its community. The City of Middletown is encouraged to establish a Clean Energy Task Force, or comparable body. This entity will assist the municipality in meeting the Clean Energy Communities Municipal Pledge and to perform education and outreach among residents, businesses and institutions within the community concerning energy efficiency and clean, renewable energy programs.
- By taking the pledge and meeting the Clean Energy Community Program requirements outlined by CEFA and the Connecticut Energy Efficiency Fund, the City of Middletown may qualify, subject to the terms of separate formal contracts, for the following grants:
- a. CEFA. For every 100 points, the City of Middletown may earn a 1 kilowatt (or equivalent) clean energy system.
 - b. Energy Efficiency Fund. For every 100 points, the City of Middletown may earn a Bright Idea Grant that can be used for energy-saving projects. The City of Middletown is eligible for two Bright Idea Grants per fiscal year.
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Daniel T. Drew*
Mayor
City of Middletown

* The City of Middletown understands that the Clean Energy Communities Municipal Pledge is not a contract, and that CEFA, the Energy Efficiency Fund, and the Companies have not contracted, committed, agreed or promised, to perform or incur any obligations, in any manner, hereunder.

EXHIBIT B



Eckersley Hall Building Committee
Middletown Parks & Recreation Department
100 Riverview Center Suite 140
Middletown, CT 06457

October 16, 2013

Mr. Bob Wall
Director, Marketing and Outreach
Connecticut Energy Finance and Investment Authority
845 Brook Street
Rocky Hill, CT 06067

RE: Ground Source Heating and Cooling System for Eckersley-Hall Building,
Middletown, CT

Dear Bob,

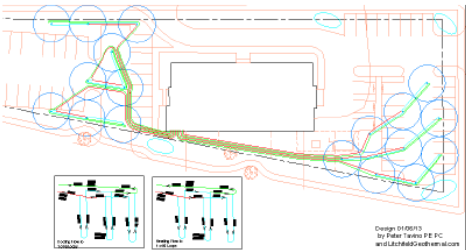
As Chairman of the Eckersley-Hall Building Committee, I am submitting the following information to be part of the Memorandum of Understanding (MOU) between the City of Middletown ("the City") and Connecticut Energy Finance and Investment Authority (CEFA). The MOU is the outcome of meetings held with you and others at CEFA regarding the installation of a geothermal heating and cooling system for the new senior/community center currently under construction at the Eckersley-Hall historic building. CEFA agreed to provide the cash equivalent of the 6kW's of solar panels earned by the City over the past five years. The City currently does not have a suitable municipal building location for the panels and requested financial support to help defray the cost of geothermal for Eckersley-Hall and its renovation for a new Middletown Senior/Community Center. On November 11, 2012 a meeting was held with you to discuss this project and the use of ground source heating and cooling for the Eckersley-Hall building. This alternative use of the solar funds was agreed upon as it provided new opportunities for municipalities engaged in the CT Clean Communities Program. At this meeting, CEFA estimated the cash equivalent for the solar panels at \$33,000 payable in two installments: 50% when the system equipment is installed and 50% after the system is operational and inspected.

The following describes the geothermal system designed by Peter J. Tavino Jr. PE PC (Litchfield, CT), incorporated in the building architectural plans prepared by Silver + Petrucelli and Associates (Hamden, CT) and now under construction by our General Contractor, MA&M Construction (Middletown, CT) their drillers, Sima Drilling (Cheshire, CT) and HVAC contractors Copper Valley Heating and Cooling (Meriden, CT). Note that all companies are Connecticut based. Companies are also CEFIA approved geothermal contractors.

I. System Design

Figure 1 presents the system design site plan, which includes 18 boreholes each 400 feet deep with 1 1/4 inch closed loop high density polyethylene U-bends. This loop field provides heating, and 55 tons of cooling capacity.

Figure 1: FINAL GEOTHERMAL DESIGN ECKERSLEY HALL, MIDDLETOWN, CT



II. System Equipment and Performance

The proposed Heat Pump Equipment consists of the following ten water to air AHRI approved *GeoLogix plus* units, all manufactured in Michigan by Heat Controller, Inc.

Model Number	Nominal tons	EER	COP	Number of Units	Total
HTH 024	2	17.1	3.7	1	
HTH 036	3	16.9	3.7	2	
HTH 048	4	16.6	3.7	5	
HTH 070	6	15.0	3.4	2	
Total				10	40 tons

III. Construction Schedule

Drilling and loop insertion has begun, and all work is proposed to be completed within eleven (11) months. This system does not replace existing ground source energy equipment.

I hope this information meets the needs of CEFIA for the MOU so it can be approved in a timely manner. Please let me know if additional information is needed. The Building Committee is grateful for CEFIA's interest in Middletown's Senior/Community Center and the opportunity to help finance this aspect of the project. The building is being renovated under the guidelines of LEED and the geothermal system will play an important part in classifying the overall project. The Building Committee's goal is to have the new Senior Center classified as LEED Gold. The Senior/Community Center project is scheduled to be completed in September 2014.

I look forward to completing the MOU. Should you have any questions please contact me at 860.604.1570 (cell).

Signed,

Ronald P. Klattenberg, Councilman
Chairman, Eckersley-Hall Building Committee

- cc: Mayor Daniel T. Drew, City of Middletown
Joe Samolis, City of Middletown
Bob Dobmeier, City of Middletown
Brig Smith, City of Middletown
Elise McDermott, City of Middletown
Peter J. Tavino, Geothermal Consultant
John Ireland, Silver + Petrucelli and Assoc.
Steve June, Silver + Petrucelli and Assoc.
Eckersley-Hall Building Committee
John Hall, City of Middletown
Beth Lapin, Ass't/Coordinator Building Committee

Agenda Item 10L

Councilman Serra reads and moves for approval 10L auditors; his motion is seconded by Councilman Streeto.

Councilman Faulkner states how is this determined. The Chair states the Charter requires this and Blum Shapiro has been the auditor for a long time and they have done an excellent job for us. Councilman Serra states after every Biennial meeting, we do this and it was endorsed by Finance and Government Operations and we have them because they did a great job and it is only a 1.7 increase over the next two years.

Councilman Giuliano states he will support this; we have had the opportunity to work with the principals in that firm and they have always done great service in Middletown and changing services is hard to do and there is a learning curve any firm would have to undergo and he doesn't think Blum Shapiro has given us a reason to look elsewhere. Chair Drew agrees with Councilman Giuliano. Councilman Daley states that Blum Shapiro is the

leading auditing firm for municipalities in Connecticut. They have distinguished themselves as specialists in municipal finance and they are successor of Skully and Wolf. The fact we have a managing partner of the firm overseeing the work, serves us. The Chair states they are aware of compliance laws. Councilman Bauer states he is supporting this because they have sufficed and so long as the City doesn't do things differently why change; if the City thinks there is a need to make financial change, then we should look at changing the auditor. He will support this today.

Hearing no further discussion, the Chair calls for the vote. The matter passes with ten affirmative votes by Council members Serra, Bartolotta Santangelo, Faulkner, Daley, Streeto, Giuliano, Russo Driska, Kleckowski and Bauer; and one nay vote by Councilman Chisem. The Chair states the matter passes with one in opposition.

Resolution No. 192-13
File Name fi approving Blum auditors 2013-15
Description Approving Blum Shapiro & Company, PC as City auditors for fiscal year 2014 for a fee of \$82,500 and June 30, 2015 for a fee of \$84,150.

(Approved)

Be it resolved by the Common Council of the City of Middletown: That the firm of Blum Shapiro & Company, PC, be appointed auditors for the City of Middletown, including Financial statement audit, state single audit, federal single audit, Education Form ED001 for the following fiscal years:

June 30, 2014 fee \$82,500

June 30, 2015 fee \$84,150

Financial Impact: An auditor is appointed by Charter, Chapter VI, Section 4 and fees are considered during the budget process. There is no additional impact for fiscal year 2014 and a \$1,650 additional cost for fiscal year 2015.

Agenda Item 11

Mayor's Appointments

(Approved)

The Chair reads the appointments and asks for a motion to approve. Councilman Serra moves them for approval and his motion is seconded by Councilman Streeto. There is no discussion.

The Chair states I have additional appointments and reads them. Councilman Chisem moves them for approval and is seconded by Councilman Streeto. The vote is called and it is unanimous to approve with eleven aye votes. The Chair declares the appointments approved.

Recreation and Community Services:

Appointment of William Wasch to December 31, 2014

Appointment of Rick Romano to December 31, 2014

Appointment of Anthony Jaskot to December 31, 2014

Appointment of Edward Dypa to December 31, 2015

Appointment of Gordon Adams to December 31, 2015

Appointment of Sheila Jones to December 31, 2015

Appointment of Thomas Hutton to December 31, 2016

Appointment of Philip Pessina to December 31, 2016

Appointment of Gerald Winzer to December 31, 2016

Zoning Board of Appeals:

Appointment of Steven Kovach to November 30, 2018

Citizens Advisory Committee:

Appointment of John Rumberger to August 31, 2014

Transit District:

Appointment of Daryl Bullock to November 30, 2015.

Agenda Item 12

Contingency Fund Transfers

There are no contingency fund transfers to announce

Agenda Item 13

Questions to Directors on Nonagenda Items

The Chair recognizes Councilman Bauer who asked that Tax Assessor Damon Braasch be here on non-agenda items and asks if there are questions to the Tax Assessor.

Councilman Bauer states he heard a troubling report at Finance and Government Operations and he left not having a good sense how this would play out and if you could share this. You are having an issue with the outside vendor doing the re-valuation and would you recount the background with the outside vendor. Mr. Braasch states we are delayed with our projections and changes sent to property owners. The backlog is residential properties and they have to go through quality control. The data mailer reviews the info gathered by the revaluation company and affirms the information we have on the records and we do that. You cannot force your way onto any property and there is a great deal of estimation and they hope the data mailer will mark them.

Councilman Bauer states the deadlines have not been met and you gave us an informal assessment and because it is a hard revaluation and a number of questions not been asked and measurements made, there will be a lot of changes in the assessment. Mr. Braasch responds yes, there will be changes in the assessments. Councilman Bauer states he is troubled with the slippage of deadlines and if a lot of changes, there will be a lot of appeals and he is concerned about can you work up to a definite deadline when it would be done and your estimate, given the number of changes and the appeal process will take. It is obvious to the Council, when it comes to budget time, if we don't have clear numbers a lot of unpleasant things can happen and one is that we overestimate the amount of property tax when we come up with the mill rate. We could over tax. Could you ball park this for me how this process will take place so we can perform an accurate assessment of the mill rate and property tax to the property tax owners in Middletown. Mr. Braasch states he will ask for assistance with the company; in general, looking at the change of assessment notices going out after the holidays. As far as the number of hearings, we project a lower number of appeals based on the way values are trending. Values are lower today than in 2007 and it will be reflected and if someone sees their assessment goes down, they don't appeal it.

Angel Johnstone and Jackie Nichols district manager for the revaluation company come forward. Ms Johnstone states when the grand list is assigned, we already have done the internal controls and people have already come in and gone over the information. The informal process will happen in January and over the last few years, the number of hearings will come down. They are not anticipating a large number of informal hearings. All of the changes will be processed in January and Mr. Braasch will sign the grand list on time and then the Board of Appeals will occur during the regular schedule and they file in February and are heard in March. It is within the normal time frame. Councilman Bauer states people will be noticed and be heard in a timely manner. Ms Johnstone responds yes. Councilman Bauer states even though the projection of the lowering of the grand list, there is still the issue when it comes to something this important if it gets out the average deduction is 15% and the property owner receives a notice and their property went down 10%, they will think they are shouldering the bigger piece of the pie.

Mr. Braasch states that is the point of the revaluation. The process is to equalize the grand list and take into consideration those areas that did not depreciate and recognize those areas that have. What I anticipate is that 1/3 will see no change and 1/3 will see a reduction and 1/3 will see an increase. Certain portions of the City will see a difference. Councilman Bauer states my only caveat is that we all campaigned last fall and all heard about a lot of financial things and it is tight out there and his concern is enough movement in the revaluation and sticker shock in what the taxes will be. Who will be surprised and that may take a lot of time and his concern is the process ends up at a time that this body can do its responsibilities to do a budget.

Councilman Serra states Councilman Bauer, Councilwoman Kleckowski, and Councilwoman Bartolotta heard this at Finance and Government Operations. He heard it will be on time so we can budget appropriately. Mr. Braasch responds that is our projections. Councilman Serra asks if he needs the Finance Department with what should be in our appeal line. Mr. Braasch states he ran a projection on the real estate. One of the questions asked by Carl Erlacher was to come up with a number after the number. Your finalized list comes in and then appeals and what happens to the grand list. He hasn't done that yet. Councilman Serra states you will do that; Mr. Braasch replies yes. Councilman Serra states he became aware that grand list has decreased and we will have to find x amount of dollars. Councilman Streeto asks Ms Johnstone about informal hearings and will there be an adequate number of officers; Ms Johnston responds we will bring in how many we will need to accommodate the public.

Councilman Giuliano asks if what I heard correctly is this year the taxpayers will get an additional chance to discuss evaluation one with vendor and then statutory appeal right. What they get to appeal is the factual evaluation. Mr. Braasch states that and the actual final value. If the new value comes in \$200,000 and you believe it is \$175,000, you can review the data and you can still file the appeal that it should be the lower number. Councilman Giuliano states this process doesn't change the appeal process. Mr. Braasch replies no and there is an additional layer of appeal. Councilman Giuliano states normally when revaluation happens, there tends to be a shift between evaluations of business and residential and sometimes business goes up faster or slower than residential. It is trending downward; can you tell us if one is trending down more than the other. Mr. Braasch responds residential is trending down more than business. Councilman Giuliano responds the tax burden is shifting somewhat from homeowners to business.

Councilman Daley states the change notices have gone out for the commercial; Mr. Braasch states they are due to go out this week. Councilman Daley states you have no idea of the number of requests for appeal; Mr. Braasch responds no. Councilman Faulkner states he is curious whether the number of appeals, perhaps there be a public article that talks about revaluation and what it means because a lot of times, if you are going up and others are going up like you that is all you are looking for; if you can put out statistics like that. Mr. Braasch states when notices are sent, there will be access to a website and when notices are sent out, you can look up your neighbor's assessments and there will be press releases. As we get closer to the release, more information will be sent out.

Motion to Adjourn

Councilwoman Bartolotta moves to adjourn and hopes everyone has a happy holiday. Her motion is seconded by Councilman Santangelo. There is no discussion. The vote is called and it is unanimous to approve with eleven aye votes. The Chair declares the meeting adjourned at 9:19 p.m.

ATTEST:

**MARIE O. NORWOOD
COMMON COUNCIL CLERK**